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Message: NEPA

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Osage Nation

Office of the Principal Chief

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Jim Gray
Principal Chief

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March 3, 2010

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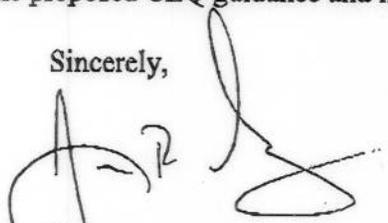
Re: Draft National Environmental Policy Act (NEPA)

Dear Chairman Skibine and Commissioner Cochran:

The Osage Nation is writing to request an extension of the comment period for the Commission's Draft National Environmental Policy Act (NEPA) Manual (Draft Manual). As you may be aware, the Council on Environmental Quality (CEQ) very recently published in the Federal Register a Notice of Availability of draft guidance for "Establishing, Applying, and Revising Categorical Exclusions Under the National Environmental Policy Act" at 75 Fed. Reg. 8045 (February 23, 2010). This document sets forth proposed new guidance on categorical exclusions in accordance with Section 102 of the NEPA, 42 U.S.C. § 4332, and CEQ implementing regulations. The proposed guidance is open for public comment until April 9, 2010, and the CEQ intends to issue final regulations based upon it.

The new CEQ guidance is especially timely for the NIGC as it prepares its first set of categorical exclusions. The document explains in detail how Federal agencies should: (1) gather information supporting a proposed categorical exclusion; (2) evaluate the information; and (3) make findings to explain how it determined the proposed category does not result in individual or cumulatively significant environmental effects. Therefore, we respectfully request that the NIGC publish an extension of the comment period on the Draft Manual so that we may have adequate time to review the proposed CEQ guidance and incorporate it into our comments.

Sincerely,


Jim Gray
Principal Chief

JG/jl